



PATENT
81674-306505

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

TOVINKERE, V.

Serial No: 10/714,390

Filed: November 14, 2003

For: **METHOD AND SYSTEM FOR
DETECTING SEMANTIC EVENTS**

Art Unit: N/A

Examiner: N/A

**PETITION UNDER 1.53(e) FOR REVIEW OF NOTICE
OF INCOMPLETE NONPROVISIONAL APPLICATION
TO ESTABLISH THE APPLICATION IS ENTITLED TO
THE ORIGINAL FILING DATE**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:
Mail-Stop NON-FEE AMENDMENT
Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450, on

March 3, 2004

Date of Deposit

Roger R. Wise (Reg. No. 31,204)

Name

Signature

3/03/2004

Date

MAIL STOP: Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir or Madam:

In response to the "Notice of Incomplete Nonprovisional Application," dated February 18, 2004, a copy of which is enclosed as Exhibit 1, the response to which is due April 18, 2004, Applicants are submitting this petition to establish that the above-referenced patent application is entitled to the filing date because the patent application was submitted with a complete specification, including page 17. Additionally, a check for \$36 has been included for additional claims over 20, as also noted in the section titled "Summary of Fees Due" on the second page of the Notice. The Applicants request that the Office of Petitions review the Applicants' submission. Accompanying the Applicants' submission is the petition fee as set forth in 37 C.F.R. § 1.17(h).

03/11/2004 BABRAHA1 00000005 10714390

01 FC:1460

130.00 OP

03/11/2004 BABRAHA1 00000005 10714390

02 FC:1202

36.00 OP

Because this petition states that the above-referenced patent application is entitled to the filing date, Applicants request a refund of the petition fee.

BACKGROUND

The present patent application, U.S. patent application serial No. 10/714,390 ("the '390 application"), is a divisional of parent patent application serial No. 09/766,594 ("the '594 application"), filed January 23, 2001. The parent '594 application received a Notice of Allowance on September 23, 2003, and issued as U.S. Patent No. 6,678,635 on January 13, 2004.

A request for a Rule 53(b) divisional application was filed on November 14, 2003, a date prior to issuance of U.S. Patent No. 6,678,635 (the parent '594 application). The Rule 53(b) divisional application is the present '390 application. The submitted '390 application was filed with a complete photocopy of the '594 application including the complete specification, abstract, declaration/oath, and drawings. Additionally, a preliminary amendment was filed along with an Information Disclosure Statement listing 11 references and a check for the appropriate filing fee. This is evidenced by 1) a photocopy of the Certificate of Mailing via U.S. Express Mail, enclosed as Exhibit 2; and 2) a photocopy of the submitted postcard, enclosed as Exhibit 3. Further evidence of the submission of all of the required documents is the acknowledged receipt by the Patent and Trademark Office of the submitted postcard, enclosed as Exhibit 4, which lists the submitted documentation. The postcard includes the assigned serial number and acknowledges receipt of all the documents identified thereon.

Further proof of the submission of all of the required documents is a declaration of James Swanson, enclosed as Exhibit 5, who is a legal secretary / patent assistant in

the Los Angeles office of Pillsbury Winthrop, attorney for Applicants. Mr. Swanson has extensive knowledge in the submission of patent applications and the rules of the Patent and Trademark Office. In James Swanson's declaration, he certifies that he submitted the above-identified documents to the United States Patent and Trademark Office via Express Mail on November 14, 2003.

The Notice of Incomplete Nonprovisional application was mailed on February 18, 2004. The Notice of Incomplete Nonprovisional Application identified that page 17 was missing from the specification.

REQUEST

Applicants believe that they are entitled to the filing date of November 14, 2003, which is the date the '390 application was mailed via U.S. Express Mail. Applicants request that the Office of Petitions review the Applicants' submission and award the '390 application the filing date of November 14, 2003. This request is based on the fact that 1) the Certificate of Mailing Via U.S. Express Mail; 2) the Applicants' submitted postcard; and 3) the received postcard from the United States Patent and Trademark Office are **prima facie evidence** that the complete specification of 25 pages for the '390 application was filed on November 14, 2003. In addition, Mr. Swanson's declaration further provides support that the complete specification of 25 pages for the '390 application was filed on November 14, 2003.

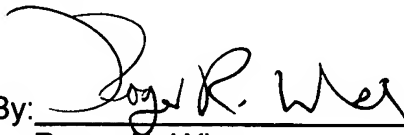
Please note that the specification, declaration, abstract and figures of the '390 application were simply photocopies of the parent '594 application as the '390 application was a divisional of the '594 application. Any amendments to the specification, figures, and claims were made in the preliminary amendment filed

concurrently therewith, which according to the return postcard, the PTO also received with the '390 application. Please also note that the November 14, 2003 filing date is needed to establish the co-pendency of the '390 divisional application and the parent '594 application.

Applicants have included a courtesy copy of page 17 of the specification, as submitted on October 14, 2003, for the Examiner's convenience in case this documentation has been misplaced by the Office.

Respectfully Submitted:

Date: March 3, 2004

By: 

Roger R. Wise
Registration No. 31,204
Attorney For Applicants

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PATENT
0306505

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application
TOVINKERE, et al.

Group No.: Unassigned

Serial No.: Unassigned
Filed: November 14, 2003

Examiner: Unassigned

For: **METHOD AND SYSTEM FOR DETECTING SEMANTIC
EVENTS**

CERTIFICATE OF MAILING VIA U.S. EXPRESS MAIL

"Express Mail" Mailing Label No. EV 235 025 913 US

Date of Deposit: November 14, 2003

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that

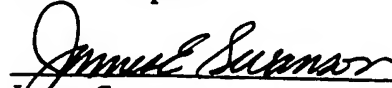
- ☒ Letter of transmittal
- ☒ Patent application (25 pages of specification; 22 claims; 1 pages of abstract)
- ☒ A check in the amount of \$806.00 to cover the filing fee
- ☒ 15 sheets of formal drawings
- ☒ A Declaration/Power of Attorney
- ☒ An Information Disclosure Statement with 11 reference(s) and form PTO-1449
- ☒ Return postcard
- ☒ Preliminary Amendment

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 CFR 1.10 on the date indicated above and are addressed to:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

November 14, 2003

Date of Deposit


James Swanson

9 N NOT ASSIGNED File No. 0306505 Date Mailed 11/14/03 By: RRW/JS
Title: METHOD AND SYSTEM FOR DETECTING SEMANTIC EVENTS
(Client Name) INTEL

The Following, due _____ in the U.S. Patent & Trademark Office was received in the Patent & Trademark Office on the date stamped hereon:

☐ Amendment
☐ Preliminary Amendment
☐ PCT Application Including
☐ Pages Spec. _____ Page Abstract. _____ Claims
☒ Application for Patent Including
23 Pages Spec. 1 Page Abstract. 22 Claims
☒ Declaration, Affidavit of Oath (2 Page(s)) COPY
☒ Assign; Ch. No. _____ for \$ _____ COPY
☐ Verified Statement
☒ Letter of Transmittal
☐ Maintenance Fee Transmittal
☒ Check No. 807273 For \$ 806 -
☐ Check No. _____ For \$ _____
☐ Check No. _____ For \$ _____
☒ CERTIFICATE OF EXPRESS MAIL

Drawings: # of Sheets 15
☒ Formal ☐ Informal
☐ Issue Fee Transmittal
☐ Letter Re _____
☐ Notice of Appeal
☐ Petition for _____
☐ Advance soft copy order
☐ Ch. No. _____ for \$ _____
☐ Certified Copy: # _____ of Docs.
☒ IDS: 11 References
☒ FORM PTO 1449

EV 235 025 913 45

EV235025900US

IN NOT ASSIGNED FILE NO. 8906505 Date Mailed 11/14/03 By: REW/LAS

Title: METHOD AND SYSTEM FOR DETERMINING SEMANTIC EVENTS

Client Name) INTEL

The Following, due _____ in the U.S. Patent & Trademark Office was received in the Patent & Trademark Office on the date stamped hereon:

- ☐ Amendment
- ☐ Preliminary Amendment
- ☐ PCT Application Including
 - Pages Spec. _____ Page Abstract. _____ Claims
- ☒ Application for Patent Including
 - Pages Spec. 1 Page Abstract. 22 Claims
- ☒ Declaration, Affidavit of Oath (2 Page(s)) COPY
- ☒ Assign: Cl. No. _____ for \$ _____ COPY
- ☐ Verified Statement
- ☒ Letter of Transmittal
- ☐ Maintenance Fee Transmittal
- ☒ Check No. 807273 For \$ 806
- ☐ Check No. _____ For \$ _____
- ☐ Check No. _____ For \$ _____
- ☒ CERTIFICATE OF EXPRESS MAIL

- Drawings: # of Sheets 15
- ☒ Formal ☐ Informal
 - ☐ Issue Fee Transmittal
 - ☐ Letter Re _____
 - ☐ Notice of Appeal
 - ☐ Petition for _____
 - ☐ Advance soft copy order
 - ☐ Cl. No. _____ for \$ _____
 - ☐ Certified Copy: # _____ of Docs.
 - ☒ IDS: 11 References
 - ☒ FORM PTD 1449

00727 U.S. PTO
10/714390



EV 235 025 913 45

DECLARATION OF JAMES SWANSON

I, JAMES SWANSON, do hereby state and declare as follows:

1. I am employed as a Patent Technician by Pillsbury Winthrop LLP and have been employed as a patent technician for eight (8) years. I have been an employee of Pillsbury Winthrop for four (4) years. I have personal knowledge of all facts stated in this declaration.

2. As part of my job responsibilities, I coordinate and mail patent applications to the United States Patent and Trademark Office (USPTO) for Pillsbury Winthrop LLP's clients. I am aware of all of the requirements set forth by the USPTO for submitting a patent application, such as including a specification, submitting an oath and declaration, utilizing the United States Post Office Express Mail service, etc. I have coordinated and mailed patent applications during each of my eight years of employment as a patent technician.

3. On November 14, 2003, I assembled and mailed, via United States Post Office (USPO) Express Mail No. EV 235025913, a complete patent application for an invention entitled "Method and System for Detecting Semantic Events," (application serial No. 10/714,390; our reference number 81674-306505). I specifically remember placing in the USPO Express Mail envelope 1) a Request for Filing Divisional Application; 2) a complete photocopy of U.S. Patent application No. 09/766,594 (including 25 pages of a specification, 1 page of abstract; 22 claims, and

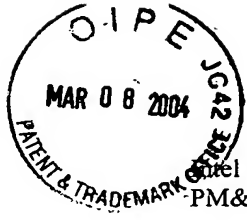
POA/Declaration); 3) a check to cover the patent application filing costs; 4) a preliminary amendment; 5) an information disclosure statement, Form-1449, with 11 references; 7) 15 sheets of formal drawings; and 8) a return postcard.

4. On November 14, 2003, I also remember drafting and executing a Certificate of Mailing via U.S. Express Mail which lists all of the above-identified documentation. I placed the Certificate of Mailing via U.S. Express Mail into the USPO Express Mail envelope. The complete application was then mailed utilizing USPO Express Mail.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued therefrom

I hereby declare that this declaration was executed on the 3rd day of March, 2004.

By: 
JAMES SWANSON



Patent REF number: P9890
PM&S REF number: 81674/273210

model adaptation unit 250 may detect the difference and activate the adaptation to update or override the previous model.

The adaptation may also happen on-line during event detection. Fig. 13 is an exemplary block diagram that shows how on-line dynamic model adaptation may be realized.

5 In Fig. 13, observation streams 210a, 210b, 210c, 210d are fed into event detection unit 120. Within unit 120, event prediction unit 1330 takes event detection result as input and predicts what events may happen next. Such predicted events 1340 are sent to event adaptation unit 250. Combined with detected events 1320 and predicted events 1340, event adaptation unit 250 determines the strategy to update the corresponding event model, stored in dynamic event
10 model storage 220c.

The update to an existing event model based on predicted events may aim at generating new models that make future detection more targeted. The updated event model will be fed back to event detection unit 120 so that the new model will be used. This is an on-line feedback process, through which the event detection performed by unit 120 is self
15 adjusting continuously.

Fig. 14 illustrates an example how a dynamic event model can be updated using on-line predicted event during detection. In Fig. 14, an existing event model describes a model trajectory 1430 for a soccer ball 1420. Based on the positions of the tracked ball 1420a,..., 1420f, a ball trajectory 1440 can be predicted based on tracked ball position. Such prediction
20 may be performed by fitting a third order polynomial curve to the ball positions and then extrapolate beyond the available points. When there is enough discrepancy between the model trajectory 1430 and the predicted trajectory 1440, the detection based on the model trajectory